REMARKS

Claims 1-16 remain pending in this application. Claims 1, 8 and 12 have been amended hereby. Support for the amendments to the claims can be found throughout the specification, and in particular, Table 2 of paragraph [0021] thereof. No new matter has been presented. For the reasons stated below, Applicants respectfully submit that all claims pending in this application are in condition for allowance.

In the Office Action mailed January 8, 2009, claims 1-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Allison et al. (WO 200271234 A) ("Allison") in view of Gould et al. (U.S. 2004/0199592 A1) ("Gould") and further in view of Mazur (U.S. 7,424,209) ("Mazur"). This ground of rejection is respectfully traversed.

Applicants note the comment of the Examiner on page 9 of the Office Action indicating that amendments to the claims with respect to some of the disclosed subject matter may be helpful in overcoming the present grounds of rejection. Applicants appreciate the Examiner's efforts to further the prosecution of this case. To that end, Applicants have now further amended the claims to make clear that multiple (i.e., more than two) entries in a timestamp array are provided for given ones of sources or source addresses. Support for the amendment can be found in the portion of the specification identified by the Examiner in his comment on page 9 of the Office Action. Applicants respectfully submit that none of the cited prior art references (even the newly-cited Mazur reference) discloses or suggests the claimed invention.

More specifically, the claims of the present application require that the timestamp array that is filled as source address counters are incremented include multiple entries for each source address ("wherein the array of timestamps includes more than two timestamps for a given source address"). As explained previously, Gould does not disclose storing multiple timestamps for given source addresses, but rather discloses storing at most two source addresses (not "more than two").

Gould describes two (and just two) timestamps:

1. In the case of the first sighting of a new originating IP address (in a first message) a first time stamp. The first timestamp is

preserved in a new IP address record when that new IP address record is created and the record's message counter is set to 1.

2. In the case of a subsequent sighting of an originating IP address (in an nth message) an nth timestamp. The nth timestamp is not preserved in the record, but the message counter (in the associated IP address record) is incremented.

Thus, the referenced portions of Gould (specifically Figure 2, Figure 4, ¶0037, and ¶0045 → ¶0047) describe a model that preserves (for each address) just a single timestamp (or at most two), as shown below:

IP Address	Counter	Timestamp
208.77.188.166	3	03/31/2009 08:47:24

While the first timestamp is saved (in an IP address record) all of the subsequent timestamps (from all of the subsequent messages) up to an nth timestamp (from an nth message) – 2, 3, 4, …, n-3, n-2, n-1 – are not stored or preserved. And at the point that an n+1th message is received (and thus an n+1th timestamp is available) the nth timestamp would be lost.

Gould's e-mail governor may then subtract an nth timestamp (which could be considered a second stored timestamp) from a first timestamp (since the first timestamp was preserved in an IP address record) to ascertain gross elapsed time. However, since all of the intervening timestamps (from all of the intervening messages) are lost under Gould's model there would never be an occasion in which "more than two" timestamps would be included in the array, as is expressly required by the claims.

The Office Action now further relies on Mazur for the claimed limitation having to do with "iterating through the array of timestamps to access all source counters and associated timestamps."

Mazur discloses a method for real-time data archival. A synchronizer is employed to facilitate the generation of real-time timestamps from a plurality of reference timestamps associated with a digital video stream, such as MPEG-2, for subsequent playback. Firstly, MPEG-2 reference timestamps (even transformed into real-time timestamps) have nothing at all to do with the time at which a message is received over a network. Thus, while Mazur might take advantage of an array of timestamps, such an array of timestamps is entirely different from the context of the present invention.

In any event, Gould does not disclose an array of timestamps with more than two entries for a given source, and thus one skilled in the art would never, in the first place, have been inclined to look to the teachings of large timestamp arrays as contemplated by Mazur. Thus, it is respectfully submitted that one of ordinary skill in the art, would not have found the teachings of Mazur at all relevant to the teachings of Gould, since Gould is clearly limited to storing only a single earlier timestamp, which is subtracted from a single later timestamp (which later timestamp may never even be stored along with the earlier timestamp). That is, there is never any use in Gould for an array of timestamp**S** as is now even more clearly recited in the claims.

In sum, the Gould model is very different from the claimed invention wherein an array of timestamps is preserved for each source address, as shown below:

Address	Counter	Timestamps
703-555-1212	3	03/31/2009 08:47:24
		03/31/2009 09:03:39
		03/31/2009 09:18:04

and Mazur does nothing to cure the deficiencies of Gould.

Furthermore, the claims of the present application expressly require "removing entries in the array of timestamps that are older than a fixed window size, and decrementing the source counter for each entry so removed." None of the prior art discloses anything like these claimed limitations. More specifically, Gould is silent regarding removing or deleting entries from the

described "IP address record," or decrementing a counter as a result of any such operation. Since Gould does not describe removal or deletion of entries, it is not possible that Gould teaches the specific methodology of removing entries based on a "fixed window size," or decrementing a counter as a result thereof, as is required by the claims.

In view of the forgoing, all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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